

REMARKS

Favorable reconsideration of this application is respectfully requested.

Claims 1-10 are pending in this application. Claims 1-10 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent Application Publication No. 2005/0028208 to Ellis et al. (herein "Ellis"). That rejection is traversed by the present response as now discussed.

The claims are herein amended to clarify features recited therein. Independent Claim 1 now particularly recites:

a personal computer configured to (1) directly access a remote program information providing server through the internet based on a user request directly input to the personal computer by the user to obtain recording data for recording of a program from the remote program information providing server and (2) to directly access the recording apparatus to set recording of the program by the recording apparatus based on the obtained recording data;

The other independent claims are similarly amended as in independent Claim 1.

The claimed features are believed to be clear from the original specification, see for example Figure 1. As shown therein an information processing system includes a personal computer 5 that can directly access a remote program information providing server 8 through the Internet based on a user request that is directly input into the personal computer by the user. The personal computer can further access the remote program information providing server 8 to obtain recording data for recording of a program and can directly access the recording apparatus 12 to set recording of the program from the server 8 by the recording apparatus 12 based on the obtained recording data.

Further, an information processing apparatus of a phone 1 or PDA 2 can access the remote program information providing server 8 through the Internet, without accessing the personal computer 5 or the recording apparatus 12. That is, the phone 1 or PDA 2 do not need to use the personal computer 5 or recording apparatus 12 as an intermediary for

accessing the remote program information providing server 8 through the Internet. Further, as clear for example from Figure 1 the phone 1 or PDA 2 can directly transmit converted code information for setting a program recording to the recording apparatus 12.

The claims as currently written are directed to an information processing system that can make it easier to program a recording device. With respect to Figure 1 in the present specification as a non-limiting example, an information processing apparatus such as a computer 5, cell phone 1, or PDA 2 can operate to program a VCR 12 so that the VCR 12 records a specific program at a specific time. Such information processing apparatuses 1, 2, 5 can themselves, under a user control, access a server, such as server 8, which stores an electronic program guide (EPG). Such information processing apparatuses 1, 2, 5 under a user control can access the EPG on the server 8 through the internet and download information of a program desired to be recorded, which information can then be directly provided to a remote recording device 12 so that the recording device can perform the recording. Such an operation provides an enhanced and simplified way for a user of the information processing apparatuses 1, 2, 5 to select a program to be recorded and to have the recording device 12 record the selected program.

According to features in the claimed invention a personal computer 5 can access a remote program information providing service through the internet, directly based on the user request, to access a remote program information providing server 8, and can thereby select a program to be recorded and to have a recording device 12 record the selected program.

According to other features in the claimed invention, an information processing apparatus of a mobile phone or PDA itself acquires, without needing an intermediary of the personal computer or recording apparatus, through the internet and under a user control, the control information for controlling recording of a program from a remote program information providing apparatus, converts that information into code information, and

directly transmits the code information to the remote recording apparatus. Further, that remote recording device 12 confirms whether the information from the information processing apparatus properly sets a program preset recording and displays whether the program preset recording is proper or improper.

Ellis discloses an interactive television program guide with remote access, and more particularly appears to utilize a dedicated remote program guide access device 24 to access a program guide distribution equipment 21.

Applicants initially note one grounds for the outstanding rejection relies on Ellis to meet the limitations of the claimed “personal computer” by the server 80 shown for example in Figure 31 in Ellis. In that respect that element 80 shown in Figure 31 in Ellis is a centralized server for each of different user Television Equipment 1-3 (81-83) that may be distributed throughout a house. Such a noted server 80 in Ellis does not, however, operate:

...(1) to directly access a remote program information providing server through the internet based on a user request directly input to the personal computer by the user to obtain recording data for recording of a program from the remote program information providing server and to (2) directly access the recording apparatus to set recording of the program by the recording apparatus based on the obtained recording data;

Thereby, Ellis does not disclose or suggest the clarified features directed to the “personal computer” as now recited in each of the independent claims.

Applicants particularly note the server 80 in Figure 31 in Ellis only connects to user television equipments 1-3 (81-83), but does not receive any direct input from a user. In the claimed invention a personal computer such as element 5 in Figure 1 receives a direct input from a user, and then access a remote program information providing server 8. Clearly the server 80 in Figure 31 of Ellis does not operate in any similar manner as that element 80 is only a centralized server for different television equipment 1-3 (81-83) and not for a direct user input.

Applicants further submit Ellis does not disclose or suggest control means including a transmission device that can transmit code information *directly* to a recording apparatus. Again with reference to Figure 1 in the present specification as a non-limiting example, each of a phone 1 and PDA 2, which can access a remote program information providing server 8 through the internet, without accessing the personal computer 5 or the recording apparatus 12, can *directly* transmit inverted code information for programming the recording apparatus to the recording apparatus.

In addressing the above-noted feature the outstanding Office Action states:

...Ellis further discloses that RAD-24, may be any suitable personal computer PC, portable computer, notebook computer, palmtop computer, display remote, touch-screen remote...(personal digital assistance PDA, etc. [0092], directly access the recording apparatus to set recording of a program by the recording apparatus by accessing a remote program information providing server (program provider) through the Internet ([Web] server) based on a user request to access the remote program information providing server (figs. 3 and 4, [0087-0088], [0092-0110] and [0195-0196]), note that the RAD 24 is also a remote control that can directly access the recording apparatus and communicate (Internet) to a service provider via a Web server.¹

Applicants submit the above-noted comments are not based on the actual disclosure in Ellis and appear to be misconstruing the disclosure in Ellis. As shown for example in Figures 2a to 2d, Ellis does not disclose or suggest the noted remote program guide access device 24 can both directly access a remote program information providing server through the Internet and directly transmit code information for setting a recording on a recording apparatus directly to the recording apparatus. In each instance Ellis discloses the remote program guide access device 24 must operate either through a user television equipment 22 or a television distribution facility 16.

¹ Office Action of July 9, 2009, the sentence bridging pages 2 and 3.

The above-noted grounds for maintaining the rejection has not pointed to any actual disclosure in Ellis that indicates the noted RAD-24 can directly access the Internet without accessing the personal computer or the recording apparatus and directly transmit code information for programming the recording apparatus to the recording apparatus.

In contrast to Ellis, and again with reference to Figure 1 in the present specification as a non-limiting example, the phone 1 or PDA 2 can access the remote program information providing server 8 through the Internet directly, and can also directly transmit recording information directly to the recording apparatus 12. The remote program guide access device 24 cited in Ellis is not disclosed or suggested as performing both such direct functions.

The outstanding rejection appears to be based on the position that a personal computer or PDA can in general have direct access to the Internet and a communication device, but that is simply not the operation disclosed in Ellis. Applicants also draw attention to paragraph [0093] of Ellis that specifically states:

[0093] Remote program guide access device 24 may also have communications device 58. Communications device 58 may be any device suitable for supporting communications between remote program access device 24 and interactive television program guide equipment 17 **over link 19**, such as a communications port..., modem, ... network interface card..., wireless transceiver..., or other suitable communications device.

From the above-noted disclosure it is clear Ellis discloses the remote program access device 24 must communicate over a link 19 with a television program guide equipment 17. As clear from Figures 2a-2d in Ellis the remote program guide access device 24 via the link 19 connects to the user television equipment 22 or the television distribution facility 16, but does not directly access a remote program information providing server through the Internet and does not directly transmit recording information directly to the recording apparatus. The outstanding rejection appears based on the position that a computer or PDA can operate for such direct contacts, but that is simply not the disclosure as to how the device in Ellis

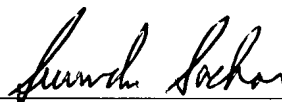
apparatus. Applicants submit the outstanding rejection must consider the actual disclosure in Ellis when applying Ellis against the claims.

In view of the foregoing comments applicants respectfully submit each of the claims as currently written positively recite features neither taught nor suggested by Ellis, and thus the claims as written are allowable over Ellis.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, L.L.P.



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Surinder Sachar
Registration No. 34,423

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/09)